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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,096	11/21/2003	David Vincent Rotole	16531-US	1917

7590

03/09/2005

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EXAMINER

WELCH, GARY L

ART UNIT PAPER NUMBER

3765

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SN

Office Action Summary	Application No.	Applicant(s)	
	10/719,096	ROTOLE, DAVID VINCENT	
	Examiner	Art Unit	
	Gary L. Welch	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 6-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11212003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: It appears that the following change is required:

Page 4, line 31: Change "20" to --36--

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford et al. (U.S. 4,022,121) in view of Peterson, Jr. (U.S. 4,927,305).

Crawford et al. discloses a knotter drive arrangement including a knotter drive shaft 18 and a plurality of knotter assemblies (30, 32, 34) with each knotter assembly having a drive gear comprising a hub (42, 44, 46) mounted for rotation with and axial movement along shaft 18. A knotter frame (36, 38, 40) having a sleeve is loosely mounted to shaft 18. An adjustment mechanism 88 between each knotter assembly (30, 32, 34) is provided to selectively adjust the gap between the opposed surfaces of adjacent knotter assemblies (Col. 3, line 51 - Col. 4, line 12). The adjustment mechanism 88 includes at least one member 94

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mounted for axial threaded adjustment for effecting changes in the axial gap spanned by the adjustment mechanism 88.

However, Crawford et al. does not disclose a locking device for releasably retaining the at least one member 94 in a desired adjusted condition.

Peterson, Jr. teaches a bolt 16 for tightening a support 44 or plate 46. A plurality of jack bolts 20 are provided for aiding in the tightening of the bolt 16 thereby equalized pressure is exerted upon the bolt. The jack bolts 20 and tabs (Col. 3, line 51-Col. 4, line 12) lock the support or plate in an adjusted position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a plurality of jack bolts as taught by Peterson, Jr. around the periphery of the adjustment mechanism 88 and member 94 of Crawford et al. to ensure that equalized pressure is exerted upon member 94 during adjustments thereby ensuring equalized stress distribution.

With regard to claim 2, the at least one member 20 is a jack bolt threaded into one of the opposed surfaces and having a head 20 engaged with another opposed surface.

With regard to claim 3, a second jackbolt 20 is threaded into one of the opposed surfaces at a location diametrically opposite from the at least one jackbolt 20.

With regard to claim 4, the locking device is a jam nut received on the jackbolt 20.

With regard to claim 5, the opposed surfaces are ends of hubs of the adjacent drive gears.

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Allowable Subject Matter

4. Claims 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

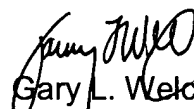
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Steinbock '764, Moses '119 and Neill '199 disclose various types of jack bolts used for adjustably tightening two elements together with equalized pressure being exerted thereto and used in various applications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (571) 272-4996. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gary L. Welch
Primary Examiner
Art Unit 3765

glw